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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 LEROY WILLIAMS,

11 Plaintiff,

12 v.

13 JAMES BIBLE,

14 Defendant.

CASE NO. C09-1833JLR

ORDER OF DISMISSAL

15 This matter comes before the court on the Report and Recommendation (Dkt. # 8)  
16 of the Honorable James P. Donohue, United States Magistrate Judge, and Plaintiff Leroy  
17 Williams's motion for voluntary dismissal (Dkt. # 9). Judge Donohue recommends that  
18 the court dismiss this action without prejudice for failure to prosecute. Similarly, Mr.  
19 Williams requests that the court dismiss this action without prejudice.

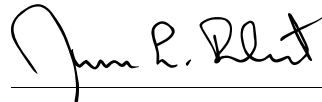
20 The court, having reviewed Mr. Williams's 42 U.S.C. § 1983 civil rights  
21 complaint, the Report and Recommendation, Mr. Williams's motion to dismiss, and the  
22 balance of the record, does hereby find and ORDER:

1 (1) The court declines to adopt the Report and Recommendation.

2 (2) The court GRANTS Mr. Williams's motion dismiss and DISMISSES this  
3 action without prejudice.<sup>1</sup>

4 (3) The clerk is directed to send copies of this order to Mr. Williams and to the  
5 Honorable James P. Donohue.

6 Dated this 24th day of May, 2010.

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9 JAMES L. ROBART  
10 United States District Judge  
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22 <sup>1</sup> The court grants Mr. Williams's motion to dismiss only as to this action, not as to the  
other cause numbers listed on his motion.